IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:06 CV 348

BARRIE TABOR,)	
d/b/a Huge Kids Sale,)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
DEBORAH KUKURUDA,)	
d/b/a Carolina Kids Sale,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on "Defendant's Motion to Set Aside Entry of Default" (Document No. 14), filed November 16, 2006. This matter has been assigned to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636 and is now ripe for review. Having fully considered the arguments, the record, and the applicable authority, the undersigned will grant Defendant's motion.

Plaintiff has requested and been granted three separate extensions of time to respond to Defendant's motion. The most recent "Consent Motion for Extension of Time" (Document No. 26), filed January 19, 2007, requested an extension to January 26, 2007. The undersigned granted that request by Order (Document No. 27), filed on January 22, 2007. There have been no filings in the case since that Order. In light of this fact, and for good cause shown, Defendant's motion will be granted.

IT IS, THEREFORE, ORDERED that "Defendant's Motion to Set Aside Entry of Default" (Document No. 14) is GRANTED.

IT IS FURTHER ORDERED that Defendant shall file an answer or other responsive pleading to the "Complaint" (Document No. 1), as well as an executed consent/denial form with the Clerk of Court, pursuant to Local Rule 73.1, on or before **April 6, 2007**.

IT IS FURTHER ORDERED that the parties shall confer pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 16.1(A) and file, jointly if possible, a report of initial attorneys' conference and a proposed discovery plan, on or before **April 27, 2007**.

SO ORDERED.

Signed: March 16, 2007

David C. Keesler

United States Magistrate Judge